



Remarks to Final Office Action
Of Application 10,083,771 for
Huey Thomas Crochet

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This applicant submits that the all-metal figure 13 of Adams is not a proper point of reference against the weight of this applicants office action as it does not show anywhere in Adams that Adams describes the structure of this applicants weight, nor is there a single argument by Adams that his own weight spins, whether alternate or present invention. In fact, Adams states repeatedly that his weights do not spin. Adams has a uniformly curved body from end to end where this applicants weight is a straight cylinder with a bend at one end forming a straight angled portion that is substantially shorter than the remaining portion. Clearly this geometry is not basically the same as Adams as the examiner argues and cannot operate in the same fashion. This applicants weight can be dragged across the bottom in a fast, steady retrieve with the longer, lower portion resting on the bottom while trailing directly behind the shorter angled portion with said angled portion being maintained in an obliquely upright position by the force from the line while being retrieved in the proper mode of a fast, steady retrieve and only spins when the impact of encountering obstacles causes a spin that makes the lower portion spin at a right angle to the length of said weight causing it to arc up and above the level of line attachment to the weight. This applicants weight maintains the horizontal attitude of the lower portion even when not in contact with the bottom due to the force of the water pushing back along the length of said lower portion while the shorter angled portion maintains the obliquely upright position due to force from the line and fast, steady retrieves.

This applicant submits that for the examiner to impart a spin to Adams post patent is improper as all mention of spinning is flatly denied by all of the language in the Adams patent. Adams states repeatedly that his weights do not spin, and he makes no statements for exception by an alternate.

If, however, the examiner is allowed conjecture post-patent, this applicant submits his own conjecture using the examiners own arguments of geometry and applied physics to such. This applicant argues that even if figure 13 were to land on its back, with both ends up, it would not be dragged across the bottom in such an orientation as gravity and the uneven contour of the bottom would cause it to fall to one side. Since the body of Adams has no straight, or longer, straight, lower portion, and is of uniformly curved design, a hook-like formation is defined because the forward, or eyelet portion, of Adams would necessarily be in alignment with the line. Due to the fact that figure 13 would retain its out-of-water value after being submerged, it would retain a more secure position on the bottom than the Adams present invention. However, it would also turn in place with pressure applied to the line allowing the forward or eyelet portion of the curve of the body to attain direct alignment with the direction and angle of the line before moving along the bottom. Since long casts are commonly used by tight-line anglers, this would necessarily be an oblique orientation of the line between the Adams weight on the bottom and the tip of the angler's rod. Since figure 13 is the only version of Adams that does not enjoy the upward and forward assistance of flotation, it would only be dragged across the bottom on its side with the eyelet stem portion moving directly in alignment with the line and whatever the line is dragged over and across. In short, this weight has no snag-resistant qualities beyond ordinary weights of the prior art. Since the Adams weight cannot achieve the velocity through the water to leave the bottom until reaching a substantially

near position to the anglers rod due to said commonly used long casts, this applicant submits that it cannot achieve the static requirements of the tight-line method because it is not snag-resistant and cannot be retrieved in a fast, steady snag-resistant manner through stump and brush laden areas.

Referring now to the spin means of this applicant's weight, the examiner states that such is not shown in this applicant's original specification. However, this applicant submits that the examiner communicated with this applicant in writing to correct said specification and told this applicant in a telephone communication that during these corrections those things that are stated in one part of the specification may be restated in another section as long as no new information was added. This applicant did as instructed and the examiner accepted his corrected specification.

This applicant states that in the original specification the spin means is described in the operation of invention section as an angled portion of his weight having a rounded face, which makes first contact with obstacles. It is also stated therein that impact with obstacles causes said angle to slip to one side initiating a spin and causing the longer, lower portion of said weight to spin bottom to top at a right angle to the length of said weight, most often resulting in a 360 degree spin. This applicant submits that in this manner the entire body of the weight is made to arc up and above the level of line attachment and the obstacle that the line is being dragged across. The words "spin means" were rejected by the examiner as not being supported by the specification; however, such was an attempt at using the means clause provided for claims.

The examiner states that the original specification does not support that the body of this applicants weight is cylindrical; however, the operation of invention section states that the angled portion has a rounded face and the description of invention section states that the prototype for this applicants weight was made from a smooth, six-inch nail and that only a bend was made to form the angled portion and that only the hemisphere heads were rounded off. No further rounding off was necessary so none was stated. This applicant submits that this description is clear and concise and submits that commonsense dictates the use of a round, smooth nail for creating the most efficient means for allowing the angled portion to slip to one side upon impact with obstacles.

This applicant submits that the examiner has misunderstood the composition and operation of both Adams and this applicants weights in both the first and final office actions and further submits that all of the rejections and citations have been based on these misunderstandings.

This applicant submits that the basis for said misunderstandings is that Adams is not designed to be stationary, but constantly on the move as the sensitivity or feel for the bottom and the trailing snell for attaching such things as plastic worms which are imparted desired wobble from the weight will attest to. In short, Adams is made for bass and crappie using artificial lures. Adams also employs rattles for attracting bass as it moves across the bottom. Adams is packaged and sold as the Lindy Rattlin and the Lindy Little Joe no-snag sinkers. Cabela has an online chat room and a 1-800-237-4444 toll-free questions number. Reference Cabela.

All other fishing techniques are only incidental to the Adams design.

Reference Adams field of invention page 1 adjacent median numbers 5 through 15.

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